the "noble profession" stand so much in need of a dinner.

The *Chicago Legal News* unconsciously falls into the same pit when it says: "We think "there is much in the suggestion of our Eng- "lish contemporary, and that the lawyer who "has had a successful professional life, and "amassed a fortune, and is about to retire from "the bar, may with great propriety give a "dinner to his professional friends and receive "their congratulations. Let the dinner come "from the man who has made his wealth at "the profession and not from the poor mem- "bers of the bar." This is sufficiently surprising from our esteemed Western contemporary, but what shall we say of the *Albany Law Journal*, which cries: "We are of the same "opinion. This sort of affairs (?) should not be conducted on the principle of a Jersey "treat, where every man pays for himself, but "the recipient should foot the bills." The query which suggests itself to us is where the compliment to Mr. Benjamin would come in if Mr. Benjamin "footed the bill?" Also by whom should the first move towards the entertainment be made? By the recipient of the compliment who is expected to foot the bill, or by the bar, expecting to be fed gratuitously and confer a compliment simultaneously?

GENERAL NOTES.

Sir Albert J. Smith died June 30, aged 59. He was born in Westmoreland County, N.B., in 1824; admitted to the Bar in February, 1847. In 1852 he entered public life as representative of Westmoreland in the New Brunswick Assembly, which position he continued to hold until Confederation, when he was returned for the House of Commons. He entered the Mackenzie Ministry as Minister of Marine and Fisheries, and held this office until the defeat of the Mackenzie Government in 1878. In 1877 he represented Canada before the Fisheries Commission, which met at Halifax under the Treaty of Washington. He lost his seat in the general elections of 1882.

An assessor in the county of Welland has been committed to gaol for six months and fined $200 for assessing his own property at a sum much below its value. The case was one of much interest at Port Colborne, where it arose, from the fact that Samuel Hopkins, the accused, is a man of considerable wealth, and consequently of some social position in the community. The offence was committed in 1881, and it has been eighteen months before the courts. One of the pleas on behalf of the prisoner was that other assessors in the county were guilty of similar irregularities. It is to be hoped that this is an exaggeration. At all events it did not excuse the offence, nor did it lessen the penalty, the judge being of the opinion that the case might be made a warning to other officers.

The defendants were prosecuted for larceny. They had received permission to pick up bricks that were left of a steam saw-mill, belonging to the firm of Eisler & Sons, which had been destroyed by high water. Under the sand and rubbish they found parts of the saw, of the value 15 fl. and appropriated the same to themselves. The court below found them not guilty, and the public prosecutor appealed. The Court of Cassation rejected the appeal for the following reasons: It has been found as a matter of fact that the articles mentioned had remained buried under the rubbish for one and a half years after the mill was destroyed, without the knowledge of the firm. The question then is not of articles misplaced, of which the owner knows that they are within a certain locality, to which he has access, but does not know exactly where; nor of articles forgotten, which were left at a strange place, without the owner's losing the fact from his mind that they were so left; we must rather apply to this case the idea of articles lost, which applies wherever the place, in which the articles are, is not, or is no longer, known to the last owner, or has become inaccessible to him in a permanent manner. From this condition of things it follows indeed, that the possibility to exercise an actual control over the articles has been removed, and therefore possession by the firm does not exist, but again from that fact it cannot be concluded that the firm has given up its property in the articles. There is no more question then of larceny, than of lawful occupancy; the offence is not concealment of articles found.—*Vienna Juristische Blaetter.*

Mr. Bright, in a recently published letter, says: "A man may have a legal wife in the colonies, and another legal wife in England. He may bring his Canadian legal wife to England, where, when she touches our shores, she is not a legal wife, and where her children born here are not legitimate. If you can justify this I will not argue with you." Upon this the London *Law Journal* remarks: "The statement may or may not be justified, on the ground that we are not bound to alter our laws to suit the taste of those who visit us, but it may safely be traversed. If a Canadian, married to a deceased wife's sister in Canada, were to come to England, his wife would not cease to be his legal wife, and his children born here would be legitimate. In fact, the legality of a man's marriage does not depend on the place where he happens to be, or the legitimacy of his children on the place where they are born. It depends on his domicile at the time of his marriage. A man is not married and unmarried as he crosses a frontier." "When a politician puts his views on legal grounds, he should be sure his grounds are legal." And yet the House of Lords held, in *Brook* v. *Brook*, where an Englishman met and married his deceased wife's sister in Denmark, that the marriage although not forbidden in Denmark was invalid in England. And so, although Mr. Bright's statement was too broad, yet it would have been correct if he imagined a Londoner marrying his deceased wife's sister in Canada. That makes a case about as bad for the consistency of British laws.—*Albany Law Journal.*